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10-12-01
Sector 4

PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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OCT 16 2001
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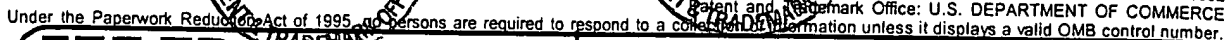
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/921,066
	Filing Date	08/02/2001
	First Named Inventor	Thomas H. Foster
	Group Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	27	Attorney Docket Number PRC-4

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	See 1 in Addendum
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	In response to NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION, dated 9/26/2001, applicant herewith encloses twelve (12) sheets of substitute drawings in compliance with 37 CFR 1.84 and having the required indicia on each drawing. The DECLARATION, newly dated and signed by each inventor, was previously submitted on 10/1/2001 with a check for \$65.00 for the surcharge for late filing of the DECLARATION (a copy of these documents as filed are enclosed). If additional fees are required, please deduct from Deposit Account 50-1706.
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Howard J. Greenwald; Greenwald & Basch LLP
Signature	
Date	10/12/01

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 10/12/2001	
Typed or printed name	Howard J. Greenwald
Signature	
Date	10/12/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Patent fees are subject to annual revision.
Small Entity payments must be supported by a small entity statement,
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.
See 37 C.F.R. §§ 1.27 and 1.28.

Complete if Known

Application Number	09/921,066
Filing Date	August 2, 2001
First Named Inventor	Thomas H. Foster
Examiner Name	
Group / Art Unit	
Attorney Docket No.	PRC-4

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

☒ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

2. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	690	201	345	Utility filing fee	
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	690	208	345	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)	(\$)	0.00
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2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	1 - 20** =	9	=
Independent Claims	1 - 3** =	40	=
Multiple Dependent		= 0	

****or number previously paid, if greater; For Reissues, see below**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Small Fee Code	Entity Small Fee Code	Entity Small Fee Code	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	0.00
139	130	139	130	Non-English specification	0.00
147	2,520	147	2,520	For filing a request for reexamination	0.00
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	0.00
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	0.00
115	110	215	55	Extension for reply within first month	0.00
116	380	216	190	Extension for reply within second month	0.00
117	870	217	435	Extension for reply within third month	0.00
118	1,360	218	680	Extension for reply within fourth month	0.00
128	1,850	228	925	Extension for reply within fifth month	0.00
119	300	219	150	Notice of Appeal	0.00
120	300	220	150	Filing a brief in support of an appeal	0.00
121	260	221	130	Request for oral hearing	0.00
138	1,510	138	1,510	Petition to institute a public use proceeding	0.00
140	110	240	55	Petition to revive - unavoidable	0.00
141	1,210	241	605	Petition to revive - unintentional	0.00
142	1,210	242	605	Utility issue fee (or reissue)	0.00
143	430	243	215	Design issue fee	0.00
144	580	244	290	Plant issue fee	0.00
122	130	122	130	Petitions to the Commissioner	0.00
123	50	123	50	Petitions related to provisional applications	0.00
126	240	126	240	Submission of Information Disclosure Stmt	0.00
581	40	581	40	Recording each patent assignment per property (times number of properties)	0.00
146	690	246	345	Filing a submission after final rejection (37 CFR § 1.129(a))	0.00
149	690	249	345	For each additional invention to be examined (37 CFR § 1.129(b))	0.00
Other fee (specify) _____					0.00
Other fee (specify) _____					0.00

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)	(\$)	65.00
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SUBMITTED BY

Name (Print/Type)	Howard J. Greenwald
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Registration No. | 24 247
(Attorney/Agent)

Complete (if applicable)

Telephone	716-387-0280
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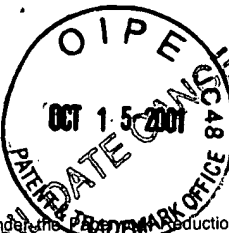
Signature

Date	12/1/76
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WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.



Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

**Assistant Commissioner for Patents
Washington, D.C. 20231**

on 10/12/2001
Date


Signature

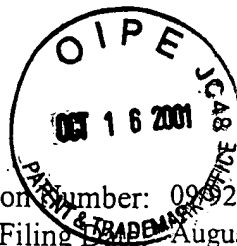
Howard J. Greenwald
Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

The following papers listed below are submitted:

Copy of Newly executed DECLARATION
Transmittal Form
Certificate of Mailing
Copy of NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION
Return Postcard

12 sheets of drawings



Application Number: 09/021,066
Filing Date: August 2, 2001
First Named Inventor: Thomas H. Foster
Group Art Unit:
Examiner Name:
Attorney Docket Number: PRC-4

Transmittal Form (PTO/SB/21):
Additional Enclosures

copy of "Notice to File Missing Parts ..."

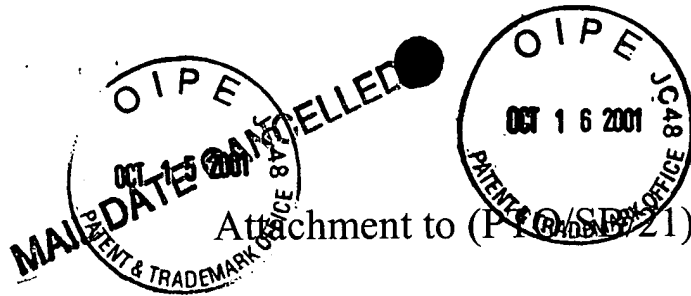
Transmittal Form

Certificate of Mailing

Return Postcard

Newly Executed Declaration

Check



Attachment to (P/PRO/21) Transmittal Form (continued)

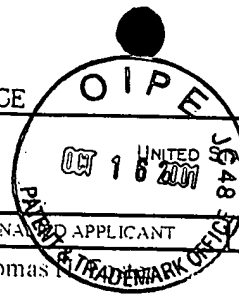
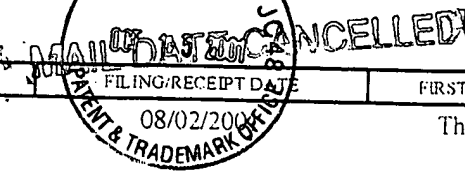
1. Copy of newly dated and signed DECLARATION
Transmittal Form
Certificate of Mailing
Copy of NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION
Return Postcard
12 sheets of drawings



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

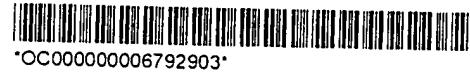
APPLICATION NUMBER	09/921,066	FILING/RECEIPT DATE	08/02/2001	FIRST NAME OF APPLICANT	Thomas	ATTORNEY DOCKET NUMBER	PRC-4
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27157
GREENWALD & BASCH, LLP
SUITE 2490
349 WEST COMMERCIAL STREET
EAST ROCHESTER, NY 14445

CONFIRMATION NO. 7986

FORMALITIES LETTER



Date Mailed: 09/26/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:
Patrick R. Connelly
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

*A copy of this notice **MUST** be returned with the reply.*



Мил

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

1. The first step is to identify the problem or question that needs to be addressed. This involves understanding the context and the specific requirements of the task.

USPTO Sticker:

Serial No: 09/921,066 Doc PRC-4

Title: MRI-compatible Implantable Device

Inventor(s): Thomas H. Foster

Filed: 8/2/2001

The US Patent and Trademark Office hereby acknowledges, and has stamped hereon the date of receipt, of the items checked below:

☐ New Application ☐ Utility ☐ Design ☐ Provisional
☐ Sheets of Drawings ☐ Formal ☐ Informal
☐ Oath / Declaration ☐ Petition for Extension ☐ Issue Fee
☐ Assignment ☐ Assignment Cover Sheet ☐ Letter
☐ Amendment / Response ☐ Claim for Small Entity Status
☒ Certificate of Mailing ☒ ~~Attorney~~ Transmittal ~~Letter~~ Form
☒ Check No. 2744 \$ 65.00 ☐ Check No. _____ \$ _____
☒ Fee Transmittal ☐ _____
☒ Copy of Notice to File... ☐ _____

GREENWALD & BASCH LLP
349 W COMMERCIAL STREET, SUITE 2490
EAST ROCHESTER, NY 14445-2403
PH: (716) 387-0280

THE CHASE MANHATTAN BANK
EAST ROCHESTER, NY 14445
50-17/223 - 380

2744

10/01/2001

PAY TO THE ORDER OF Commissioner of Patents and Trademarks

\$ **65.00

Sixty-Five and 00/100***** DOLLARS

U.S. Patent & Trademark Office
Washington, D.C. 20231

MEMO PRC-4 09/921,066

⑈002744⑈ ⑆022300173⑆380500110365⑈

GREENWALD & BASCH LLP

Commissioner of Patents and Trademarks

10/01/2001

2744

USPTO Fee for late filing of Declaration

65.00